

---

---

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

---

---

KEITH RUSSELL JUDD,

Petitioner,

*versus*

JOHN B. FOX,

Respondent.

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 1:07-CV-444

**MEMORANDUM ORDER OVERRULING PETITIONER'S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Keith Russell Judd, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends that the above-styled petition should be dismissed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. Petitioner filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

Petitioner has neither met the requirements for an independent action in equity nor for a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. *See United States v. Beggerly*,


524 U.S. 38, 46 (1998); *Reyes-Requena v. United States*, 243 F.3d 893, 904 (5th Cir. 2001).

After careful consideration, the court concludes Petitioner's objections are without merit.<sup>1</sup>

**ORDER**

Accordingly, Petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Sherman, Texas, this 25th day of January, 2008.



---

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup>

To the extent Petitioner attempts to amend his petition after the issuance of the Magistrate Judge's report in order to seek monetary damages pursuant to the Privacy Act, 5 U.S.C. § 552(a), Petitioner's claim is not cognizable and must be dismissed. *See Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994); *White v. United States Probation Office*, 148 F.3d 1124, 1126 (D.C. Cir. 1998).